

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

IN RE: VALSARTAN PRODUCTS LIABILITY  
LITIGATION

This Document Relates To:

*All Actions*

Hon. Robert. B. Kugler

Civ. No. 19-2875 (RBK/JS)

**PLAINTIFFS' NOTICE OF VIDEOTAPED DEPOSITION  
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

TO: Janet L. Poletto  
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PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(6), Plaintiffs will take the deposition upon oral examination of a designated corporate representative(s) with regard to the topics addressed in the document requests attached as Exhibit A, including but not limited to Hetero USA Inc.'s access to and possession, custody, and control of documents and other relevant materials and information of Hetero Drugs, Limited and Hetero Labs, Ltd. The deposition will commence on a date to be determined, at 9:00 a.m., at a location to be determined, and continue from day to day as needed.

Defendant is also requested to produce the documents requested on Exhibit A hereto, at least 20 days prior to the deposition.

The deposition(s) will be taken upon oral examination before an officer authorized to administer oaths and will continue from day to day, until completed. Testimony given during the deposition will be recorded by sound video recording and stenographic means.

DATED this 10<sup>th</sup> day of September 2019.

**MAZIE SLATER KATZ & FREEMAN, LLC**

By: /s/ Adam M. Slater  
Adam M. Slater  
103 Eisenhower Parkway, Suite 207  
Roseland, New Jersey 07068  
Telephone: 973-228-9898

***Attorneys for Plaintiffs***

**CERTIFICATE OF SERVICE**

I, Adam M. Slater, hereby certify that on September 10, 2019, I caused true and correct copies of the foregoing to be transmitted via ECF to all counsel having registered an appearance on ECF, with courtesy copies served on defense counsel for Hetero USA Inc., and defendants' liaison counsel, via email.

DATED this 10<sup>th</sup> day of September 2019.

**MAZIE SLATER KATZ & FREEMAN, LLC**

By: /s/ Adam M. Slater  
Adam M. Slater  
103 Eisenhower Parkway, Suite 207  
Roseland, New Jersey 07068  
Telephone: 973-228-9898

***Attorneys for Plaintiffs***

**EXHIBIT A**

Note: Unless otherwise indicated, the relevant time period for all requests is January 1, 2010 to the present.

1. Documentation demonstrating the corporate relationship and organization, including but not limited to ownership, control, parent/subsidiary relationship, and agency relationship, as between and among Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd.
2. All contracts and agreements, including but not limited to those addressing ownership, control, parent/subsidiary relationship, and agency relationship, between and among Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd.
3. All policies and procedures addressing (1) the corporate relationship, including but not limited to ownership, control, parent/subsidiary relationship, and agency relationship, and (2) communications and access to information, between and among Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd.
4. All communications between and among employees, agents, directors, or officers of Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd., requesting or providing information with regard to the manufacture, production process, regulatory compliance, testing, and contamination of valsartan.
5. All communications between and among employees, agents, directors, or officers of Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd., with regard to communications with the FDA regarding the manufacturing process or contamination of valsartan.
6. Complete documentation of communications between and among employees, agents, directors, or officers of Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd., with regard to the conduct and results of testing of valsartan for contamination.
7. Complete documentation of communications between and among employees, agents, directors, or officers of Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd., with regard to any change or modification to the manufacturing process for valsartan.
8. All documents in the possession, custody, or control of Hetero USA Inc., with regard to:
  - a) Contamination of valsartan,
  - b) Communications with the FDA with regard to potential or actual contamination of valsartan,
  - c) The valsartan manufacturing process, including any changes or modifications thereto (including but not limited to the use of solvents),
  - d) The conduct and results of testing of valsartan for impurities or contamination,
  - e) The health risks posed by the valsartan contamination,
  - f) The ANDAs and other regulatory filings and communications with regard to valsartan, and
  - g) Sales and pricing of valsartan sold in the United States.
9. All documents that Hetero USA Inc. has access to, with regard to:
  - a) Contamination of valsartan,
  - b) Communications with the FDA with regard to potential or actual contamination of valsartan,

- c) The valsartan manufacturing process, including any changes or modifications thereto (including but not limited to the use of solvents),
  - d) The conduct and results of testing of valsartan for impurities or contamination,
  - e) The health risks posed by the valsartan contamination,
  - f) The ANDAs and other regulatory filings and communications with regard to valsartan, and
  - g) Sales and pricing of valsartan sold in the United States.
10. Complete documentation of any request(s) by Hetero USA Inc. for documents or information to be provided by Hetero Drugs, Limited or Hetero Labs, Ltd. with regard to valsartan, to which Hetero Drugs, Limited or Hetero Labs, Ltd. has refused or denied access.
  11. Document/data retention and destruction policies for Hetero USA Inc., Hetero Drugs, Limited, and Hetero Labs, Ltd.
  12. All Hetero USA Inc. corporate meeting agendas, minutes, and exhibits thereto reflecting participation of or reference to any employee, agent, officer, or director of Hetero Drugs, Limited or Hetero Labs, Ltd. with regard to valsartan.
  13. Documentation sufficient to identify all persons who are or were employees, agents, officers, or directors of both Hetero USA Inc. as well as employees, agents, officers, or directors of Hetero Drugs, Limited or Hetero Labs, Ltd.